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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN MARIANA ISLANDS

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13 ROBERT CHIN SUZUKI, ) CIVIL CASE NO. 08-0005  
14 Plaintiff, )  
15 vs. ) JOINT STATEMENT OF THE  
16 MING HUA Q. YOON, ) PARTIES PURSUANT TO  
17 Defendant. ) F.R.C.P. 26(f) and LR 16.2CJ.e.2  
18 ) Case Management Conference  
19 ) Date: April 29, 2008  
20 ) Time: 9:30 a.m.  
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16 The respective counsels for Plaintiff Robert Chin Suzuki and Defendant Ming Hua Q.  
17 Yoon have conferred pursuant to F.R.C.P.26(f) and LR 16.2CJ.e.2. The Plaintiff was  
18 represented by David G. Banes, Esq. Defendant was represented by John D. Osborn, Esq.

20 The parties make the following joint statement pursuant to their obligation under  
21 F.R.C.P. 26(f) to report on their Rule 26(f) meeting, and also pursuant to their obligation under  
22 LR 16.2CJ.e.2 to file a Case Management Conference Statement:

24 1. **DISCLOSURES:** The parties are conducting disclosures pursuant to  
25 F.R.C.P. 26.

27 2. **TIMING AND SEQUENCE OF DISCOVERY:** The parties propose the following  
28 discovery schedule:

- a. Trial to commence 12 months from the Case Management Conference;
- b. Phased discovery with “fact” discovery first, and then “expert” discovery second;
- c. 6 months for fact discovery;
- d. a deadline of 2 weeks after the close of fact discovery to file any fact discovery motions, and to designate experts and produce experts’ reports pursuant to F.R.C.P. 26(a)(2);
- e. from the fact discovery motions filing deadline, 2 months for expert discovery; and
- f. a deadline of forty-five days after the close of expert discovery to file any expert discovery motions (this brings the case to a total of 10 months from the April 29, 2008 Case Management Conference).
- g. Motions in Limine to be heard no later than 21 days prior to trial.

3. **ORDERS THAT SHOULD BE ENTERED BY THE COURT PURSUANT TO F.R.C.P.**

**26(c) or 16(b) or (c):** Regarding F.R.C.P. 26(c), the parties do not anticipate at this time any need for protective orders. Regarding F.R.C.P. 16(c), the parties agree that the Local Rules’ pre-trial procedures should be followed. Regarding F.R.C.P. 16(b), LR 16.2CJ.e.2 and the topics set for discussion at the Case Management Conference pursuant to the Court’s April 7, 2008 Order re Case Management Conference, the parties state as follows:

- a. Service of process on parties not yet served. Not applicable.
- b. Jurisdiction and venue. Not applicable.
- c. Track assignment. The parties assert that this case is generally appropriate for the Standard Track, subject to the discovery schedule proposed, above. The parties prefer the standard over the expedited track in part because the parties may need off-island experts.

1                   d. Anticipated motions. Plaintiff and Defendant may file dispositive  
2                   motions.

3                   e. Anticipated or remaining discovery, including limitations on discovery.  
4                   Please refer to the proposed discovery schedule set forth above. All  
5                   parties anticipate the use of experts.

6                   f. Further proceedings and scheduling of dates. The parties have no  
7                   comments here other than what is discussed above or below in this joint  
8                   statement.

9                   g. Appropriateness of special procedures. Not applicable.

10                  h. Modification of standard pre-trial procedures. The parties agree that the  
11                  standard pre-trial procedures under the Local Rules are appropriate in  
12                  this case.

13                  i. Settlement prospects. Both parties will discuss settlement at an  
14                  appropriate time.

15                  j. Any other matter conducive to the just, efficient resolution of the case.  
16                  Not applicable.

17                  k. Setting of date for:

18                   1. Joinder of all parties. 90 days.

19                   2. Motions to amend. 120 days.

20                   3. Discovery cut-off. 6 months for fact discovery, then 2 weeks  
21                   for motions regarding fact discovery, then 2 months for expert  
22                   discovery and then 45 days for motions regarding expert  
23                   discovery, as discussed above.

24                   4. Status conferences. As requested by the parties or set by the  
25                   Court.

26                   5. Discovery motions hearing date. Pursuant to the Local Rules  
27                   and the fact and expert discovery motions cut-off dates as  
28                   discussed above.

- 1                   6. Dispositive motions filing cut-off 60 days before trial.
- 2                   7. Motions in Limine to be heard no later than 21 days prior to
- 3                   trial.
- 4                   8. Dispositive motions hearing date. Pursuant to the Local Rules
- 5                   and the dispositive motions filing cut-off.
- 6                   9. Settlement conference. As requested by the parties or set by
- 7                   the Court.
- 8                   10. Joint pre-trial order. 14 days before trial.
- 9                   11. Final pre-trial conference. 7 days before the trial.
- 10                  12. Trial. 12 months from the Case Management Conference, and
- 11                  estimated to last approximately 4-5 days.

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13 AGREED THAT THIS STATEMENT ACCURATELY REFLECTS THE POSITION OF  
14 THE PARTIES.  
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16 /s/ \_\_\_\_\_  
17 DAVID G. BANES, Esq.  
18 Counsel for Plaintiff Robert C. Suzuki  
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Date: April 25, 2008.

21 /s/ \_\_\_\_\_  
22 JOHN D. OSBORN, Esq.  
23 Counsel for Defendant Ming Hua Q. Yoon  
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Date: April 25, 2008.